



Jim Doyle, Governor
Mary P. Burke, Secretary

Wisconsin Department of Commerce, Bureau of PECFA

Bid Document

SECTION 1 - Scope of Work

The Bureau of PECFA is seeking competitive bids to perform remedial services for a petroleum release from a regulated petroleum product storage tank system. This bid is for a specified work scope. The site upon which bids are being solicited is:

Bid Round: 44
Comm #: 53714-1289-15
BRRTS #: 02-13-001577
Site Name: Jacobus Co
Site Address: 3715 W Lexington Avenue, Madison, 53714
Site Manager: Ralph N. Smith
Address: P.O. Box 8044
City, State Zip: Madison, Wisconsin 53708-8044
Phone: (608) 261-6543
e-mail: Ralph.Smith@Wisconsin.Gov
Bid Manager: Ralph N. Smith
Address: P.O. Box 8044
City, State Zip: Madison, Wisconsin 53708-8044
Phone: (608) 261-6543
e-mail: Ralph.Smith@Wisconsin.Gov

Bid-Start Date:	July 17, 2006
Questions must be received by (See Section 2 (B)):	July 31, 2006, 4:00 PM
Responses will be posted by (See Section 2 (B)):	August 18, 2006
Bid-End Date and Time:	September 01, 2006, 4:00 PM

The case file, including report(s) and other pertinent information upon which bids are being sought, are available for review at the Site Manager's location listed above. Please contact the Site Manager for an appointment to review the file.

Copies of report(s) and other pertinent information are available for purchase at the location listed below. If pertinent information is not available, please contact the Site Manager.

Action Legal - Madison

Phone: (608) 663-1041

Fax: (608) 663-1045

SECTION 2 – Site-Specific Bid Requirements

A) Bid Manager Comments

1) General Comments:

Considerable work has been done to date for this 9.5-Acre underground storage (UST) and aboveground storage tank (AST) site in Madison, WI. A case file review is required prior to requesting closure for this site, because a GIS Registry packet was provided by the consultant, and because of new requirements eliminating the need to draft and record a deed restriction for any affected property.

Site geology consists of a silty clay to sandy silt layer from one to three feet, overlying a fine to medium sized, well graded to poorly sorted sand matrix due to glacial till parent material. Trace amounts of gravel are present up to 20 feet below ground surface across the site. Bedrock was not encountered for activities done to date for this site.

Site hydrogeology consists of an estimated shallow unconfined, isotropic aquifer. Depth to groundwater is approximately 4 to 8 feet below the top of the casing (btoc) as measured from 2000 to 2003. Measurements in April, 1997 and October, 1998 indicated groundwater flow direction towards the east-northeast under an average hydraulic gradient of 0.0003 ft/ft. In March 2003, the groundwater flow direction was southerly. (A 90 degree difference in flow direction.) Estimated hydraulic conductivities are greater than 1×10^{-6} cm/second. Porosity and permeability values can be obtained from literature reviews. Starkweather Creek is south of the property and appears to be the closest potential receptor downgradient of the plume.

2) Minimum Remedial Requirements:

A groundwater monitoring program shall be implemented to demonstrate plume reduction via natural attenuation. A minimum of three years of semi-annual groundwater sampling is required. Groundwater samples shall be collected from monitoring points MW-1, MW-2, MW-11, MW-12, MW-14, MW-15, MW-18, MW-20, and MW-22 for the analysis of petroleum volatile organic compounds (PVOCs) on a semi-annual basis and PAH compounds, dissolved Cadmium, and dissolved Lead annually. The natural attenuation indicator parameters shall also be collected on an annual basis. During the same schedule collect groundwater elevation data in mean sea level datum from all the other wells (five) for each sampling round, in addition to the wells being sampled for analytical purposes referenced in the table below.

Groundwater monitoring results and tables should be submitted to Commerce after each sampling event. Electronic reporting is strongly encouraged. Starkweather Creek shall be included in all site diagrams and figures.

Wells	Frequency	Parameters
MW-1, MW-2, MW-11, MW-12, MW-14, MW-15, MW-18, MW-20, MW-22	Semi-annual	PVOC
MW-1, MW-2, MW-11, MW-12, MW-14, MW-15, MW-18, MW-20, MW-22	Annual	PAH, dissolved Cadmium, dissolved Lead, Natural Attenuation indices

* Remediation by Natural Attenuation parameters. Bidders should follow the recommended RNA parameter list found on TABLE 3-1 of the Wisconsin Department of Natural Resources *Interim Guidance on Natural Attenuation for Petroleum Releases*, PUB-RR-614, October 1999.

**Subject to Sampling and Analysis plan review and change by Commerce Project Manager. The sampling locations & parameters may be modified depending on first round sample results and recommendations of the consultant.

Any waste generated as a result of this scope of work bid shall be disposed of appropriately. Waste disposal costs must be included in the bid response.

If free product is observed in any monitoring well, the product thickness shall be measured and recorded immediately. Immediately following the monitoring event the Commerce Project Manager shall be notified.

Reporting: In addition to the specific electronic reporting requirements in Comm 47.70 to monitor the progress of activities at each bid site as listed below the contracted consulting firm shall submit to Commerce two additional electronic reports (one each following the second semi-annual round of groundwater data collection in a given year.) All groundwater monitoring reports must include updated groundwater monitoring tables, groundwater measurements, groundwater contour maps in mean sea level elevation datum, groundwater contamination extent maps and cumulative free product check. Reference the PECFA Contract Notification and Site Reporting Web-page for further reporting requirements per this bid in the hyperlink below –

<http://commerce.wi.gov/ER/ER-PECFA-SiteReporting.html>

While this is not a bid to closure, there is a possibility of attaining closure at the conclusion of the work scope conducted under this bid. If closure is appropriate, a recommendation for closure should be provided in the final summary report. For the purposes of the bid, bidders should include all closure-related costs (including, but not limited to final well abandonment costs, closure form and narrative, GIS packet, GIS Registry restriction and maintenance plan) in their bid total. In the bid response, provide a separate line item for contingency costs that provides the amount of the bid cost that is associated with the closure-related activities anticipated.

3) Reporting Timeframes:

Within *60 days* of the Commerce notification of the maximum reimbursement amount, the responsible party (RP) must execute a written contract with one of the firms that submitted a bid. Failure to execute the written contract within this time will result in ineligibility of interest expenses incurred from the date of the reimbursement cap letter until a contract is executed and work commences at the site. Work must commence within *45 days* of signing a contract. There are specific reporting requirements in Comm 47.70 to monitor the progress of activities at each bid site and there maybe additional reporting requirements outlined above. The consulting firm that is contracted to complete the scope of work is required to report the progress of this site to Commerce electronically on the web site at each of the following points:

1. Within fourteen days of executing or terminating a contract with the RP.
2. Three months after entering into the contract with the RP.
3. Twelve months after beginning the work in the successful bid, unless the project is completed before that time (point 6 applies).
4. Twelve months after submitting the previous report (point 3), unless the project is completed before that time (point 6 applies).
5. No later than 10 days after encountering a change in circumstances (the list of circumstances is in Comm 47.70 (3)).
6. No later than 30 days after completing the work.
7. As directed by Commerce.

If Commerce determines that the consulting firm is failing to make adequate progress to complete the scope of work, Commerce will notify the RP and may reduce the reimbursement to accurately reflect the work completed.

4) Claim Submittal:

A claim must be submitted to Commerce within 120 days of submitting the report described in *Reporting Timeframe, point #6*. If a claim is not submitted by the deadline described above, interest costs from the date the report (point #6) is submitted to the date the claim is receive will not be reimbursed to the claimant. Claim preparation costs must be included in the Total Bid Amount and is considered within the reimbursement cap.

B) Questions and Answers

Questions, answers and interpretations will be considered an amendment of this solicitation. All questions must be submitted in writing (fax and electronic mail submittals are acceptable) to the Bid Manager identified in Section 1 of this solicitation. All answers and interpretations shall be in writing from the Bid Manager. Neither the PECFA program nor Commerce shall be legally bound by any amendments or interpretations that are not in writing. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid End Date. No further questions will be addressed after the deadline for submitting questions identified in Section 1.

SECTION 3 - Conditions of Bid

The successful bidder will be the entity that complies with all provisions of the bid and provides the lowest total cost, excluding interest, for the site-specific bid requirements described in Section 2. In preparing the bid, the bidder must assume compliance with all applicable codes, including, but not limited to, §Comm 46, §Comm 47, and §NR 700 Wis. Admin. Codes.

The bid Commerce selects to determine the least costly method of remedial action will be the least costly qualified bid. Commerce will rank the bids solely on the basis of cost. Evaluation of bids will continue until the least costly qualified bid is identified. Submittals from an individual or firm during their period of disqualification from bidding, submittals received late and for submittals without a certified commitment (performance assurance and/or signature) will not be considered as bids. Commerce may disqualify a bid for the following reasons:

- Requirements of the bid specifications have not been met.
- The remedial strategy is not appropriate to the geologic setting.
- A Total Bid Amount is insufficient to fund the activities described in the bid specifications.

Commerce reserves the right to reject any and all bids.

Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the agency with jurisdiction (Natural Resources or Commerce).

The bidder Commerce intends to select may be required to provide input to and attend a meeting with the PECFA program and the claimant to explain the bid and remedial approach.

If a bid is disqualified, Commerce will provide written notification to any individual or firm that submitted a disqualified bid. The notification shall specify the reasons for the disqualification, and inform the individual or firm of their right to protest or appeal the decision. If a bid is more costly than the bid Commerce intends to select, the bid will not be reviewed.

The *Notice of Intent* will identify the least costly bid, disqualified bid(s) and bid(s) not reviewed. The *Notice of Intent* will be sent to the RP and will be posted on PECFA's Internet Web site.

SECTION 4 - Instructions to Bidders

Between the bid start and end dates, bidders shall not discuss or attempt to negotiate any aspects of the bid with the RP, other potential bidders or program staff without prior approval of the Bid Manager identified in Section 1. Infractions will result in rejection of the violator's bid and may result in a formal complaint being filed with the Department of Regulation and Licensing.

If access to the site is necessary for the preparation of a bid, access shall be arranged through the Bid Manager. If the Bid Manager is not able to arrange site access, this will not delay the bid process nor negate the comparison and selection from among the bids submitted. All costs associated with a site visit or preparation of a bid will be the bidder's responsibility.

The Bidding Process must conform to the following:

1. The Bid Response shall address all the site-specific bid requirements identified in Section 2.
2. The total bid amount to accomplish the stated goal must include all fees, reporting costs, pre- and post-closure costs and costs for establishing restrictions or institutional controls, when applicable (interest costs are excluded).
3. The submittal must include a copy of the Bid Response document signed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin. The appropriate registration number of the professional license must be included. Registration requirements are listed in Comm 5.
4. Bids *cannot* be faxed directly to the program. Documents received by fax will not be considered.
5. Bids, amendments thereto or withdrawal requests must be received by 4 pm on the bid end date.
6. The consulting firm's name must be included and all pages of the Bid Response.
7. All costs must be printed (ink, typewritten or computer). Errors must be crossed out, corrections entered and initialed by the person signing the bid. Correction fluid is not allowed. No bid shall be altered or amended after the time specified for the bid end date.
8. Each bidder shall fully acquaint themselves with conditions relating to the scope and restrictions attending to the execution of the work under the conditions of this bid. The failure of a bidder to acquaint themselves with existing documented conditions shall in no way relieve any obligation with respect to this bid.
9. All amendments to and interpretations of this bid shall be in writing from the Bid Manager. Neither Commerce nor the program shall be legally bound by any amendment or interpretation that is not in writing.
10. This bid is intended to promote competition. If the language, specifications, terms and conditions, or any combination thereof restricts or limits the requirements in this bid to a single source, it shall be the responsibility of the interested bidders to notify the program in writing so as to be received five days prior to the opening date. The bid may or may not be changed; however a review of such notification will be made prior to award.

SECTION 5 - Bidder Disqualification

Commerce may disqualify from public bidding any individual or firm that has committed any of the following (Comm 47.67 (1) (a)):

- 1) Failed to complete the scope of work within the reimbursement cost cap established through public bidding.
- 2) Failed to complete the scope of work in a bid in a timely manner.
- 3) Failed to follow DNR rules on the bid project.
- 4) Received one or more notices from Commerce under s. Comm 47.62 (2) that assess the financial management of an investigation as unacceptable.
- 5) In any prior occurrence that has been publicly bid, failed to do either of the following:

- a. Pay subcontractors after receiving payment for them.
 - b. Obtain lien waivers on or before the date of the final payment by the RP or the PECFA program, from all subcontractors paid under subd. 5. a.
- 6) Failed to execute a contract with the RP as required in s. Comm 47.69 (1).
- 7) Failed to commence work within 45 days after executing a contract, as required in s. Comm 47.69 (3).

Commerce may disqualify any individual or firm from performing further work on a project if the individual or firm has not completed any of the six reporting points required in Comm 47.70 and outlined in Section 2 of this bid document. Commerce will review and address the issue as stated in Comm 47.70 (4).

BID RESPONSE
(1st Page)

Department of Commerce PECFA Program

SITE NAME: Jacobus Co
COMMERCE #: 53714-1289-15
BRRTS #: 02-13-001577

Submit Bid Response To: Cathy Voges
Public Bid Response
Department of Commerce PECFA Bureau
201 W Washington Ave, Madison WI 53703-2790 or
PO Box 8044, Madison WI 53708-8044

Consulting Firm Name: _____

Address: _____

Telephone: () - _____

Fax Number: () - _____

E-mail Address: _____

Bidder (check one that applies):

<input type="checkbox"/>	Professional Engineer	License # _____
<input type="checkbox"/>	Professional Geologist	License # _____
<input type="checkbox"/>	Hydrologist	License # _____
<input type="checkbox"/>	Soil Scientist	License # _____



Use this box to certify (by marking with a check or X) a commitment to complete the work described in the bid specifications in its entirety for the Total Bid Amount proposed below. Failure to provide this performance assurance will disqualify this bid response. Providing unsolicited qualifications and/or contingency statements in your bid submittal will disqualify the bid response.

Total Bid Amount: \$ _____

Print Name: _____

Title: _____

I certify that I have the authority to commit my organization or firm to the performance of the bid I have submitted.

Signature: _____

Personal information you provide may be used for secondary purposes [Privacy Law, s. 15.04(1)(m)].

BID RESPONSE
(2nd Page)

Department of Commerce PECFA Program

SITE NAME: Jacobus Co
COMMERCE #: 53714-1289-15
BRRTS #: 02-13-001577

Consulting Firm Name: _____

A bid will be considered to be non-complaint if the bid response does not include separate tabulation of cost for each activity.

1	Conduct semi-annual and annual groundwater monitoring for three years (includes all analytical costs) and (includes all per diem and mileage costs).	\$ _____
2	Reporting Requirements per Comm 47.70. Reference the PECFA Contract Notification and Site Reporting Web-page for reporting requirements per this bid in the hyperlink below – http://commerce.wi.gov/ER/ER-PECFA-SiteReporting.html	\$ _____
3	All investigative & remedial waste disposal costs (includes mileage and per diem).	\$ _____
4	Other (if necessary), specify	\$ _____
5	PECFA Claim Preparation	\$ _____
6	Total Bid Amount (sum) -> also include on Page 1 of bid response	\$ _____
7	Contingency costs for installation of one monitoring well per NR 141 requirements with full VOC sampling in initial round only (includes mileage and per diem and commodity costs).	\$ _____
8	Contingency costs for monitoring groundwater for one sample round for PVOC and PAH, Cd, and Pb for nine wells (and includes per diem and mileage.)	\$ _____
9	Contingency costs for Reporting Requirements per Comm 47.70	\$ _____
10	Contingency costs for free product/contaminated groundwater disposal (commodity cost only) (\$/gallon)	\$ _____
11	Contingency costs for all closure-related costs (lump sum), including but not limited to case summary and closeout form and report, GIS Registry requirements, appropriate notification to the public, reporting requirements per Comm 47.70 and per this bid spec, and well abandonment costs (including per diem and mileage).	\$ _____